

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

HARVEY WEINIG,  
a/k/a "The Wing,"  
TOHMES PETER,  
a/k/a "Peter Thomas,"  
a/k/a "Moti,"  
a/k/a "Renee,"  
JUAN GUILLERMO OCAMPO,  
a/k/a "Paul,"  
LEON SHULUM WEINMANN,  
RACHEL WEINMANN,  
MIGUEL OMAR GARRABITO BOTERO,  
a/k/a "Mr. Fred,"  
AMPARO HURTADO VALENCIA,  
a/k/a "Helen,"  
JULIANA LNU,  
a/k/a "Bonnie,"  
CARLOS LOPEZ,  
GARY SALERNO,  
ALEXANDER SCHWARTZ,  
a/k/a "Mr. R. Rosenbaum,"  
a/k/a "Rosenberg,"  
DONALD J. HAYDEN,  
LATCHEZAR CHRISTOV,  
a/k/a "Lucky," and  
MENASHE LEIFER,

Defendants.

INDICTMENT

94 Cr.

94 CRIM.

931

JUDGE DUFFY

The Grand Jury charges:

COUNT ONE

Conspiracy To Launder Narcotics Proceeds

1. From in or about 1991 up to and including on or about November 30, 1994, in the Southern District of New York and elsewhere, HARVEY WEINIG, a/k/a "The Wing," TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN,

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EXHIBIT

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MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenberg," DONALD J. HAYDEN, LATCHEZAR CHRISTOV, a/k/a "Lucky," and MENASHE LEIFER, the defendants, and co-conspirators Richard Spence and Robert Hirsch not named as defendants herein, and others known and unknown to the Grand Jury, unlawfully, wilfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Sections 1956(a)(1)(B)(i), 1956(a)(2)(B)(i) and 1957 of Title 18, United States Code.

#### The Money Laundering Organization

2. From in or about 1991 up to and including on or about November 30, 1994, there existed an international money laundering organization (the "Organization") that laundered narcotics proceeds received from, among other places, the United States, Canada, and Puerto Rico.

#### Members of the Organization

During all times relevant to this Indictment:

3. Defendant HARVEY WEINIG, a/k/a "the Wing," was a lawyer licensed by, and practicing in, the State of New York, and was one of the principals, along with co-conspirator Robert Hirsch in the firm of Hirsch Weinig located at 1540 Broadway, Suite 29A, New York, New York. The Hirsch Weinig law firm was used in part by the Organization to facilitate and conceal its

illegal activities. WEINIG operated primarily out of his offices at the Hirsch Weinig law firm, where, among other things, he engaged in banking transactions on behalf of the Organization and consulted with co-conspirators Richard Spence, a/k/a "Dick," a/k/a "Charlie," and Hirsch about the Organization's activities.

4. Co-conspirator Robert Hirsch was also a lawyer licensed by, and practicing in, the State of New York. Hirsch operated primarily out of his offices at the Hirsch Weinig law firm, where he performed various tasks in furtherance of the Organization's activities.

5. Co-conspirator Richard Spence operated several businesses at 431 East 165th Street, Bronx, New York, which location was used in part by the Organization to further, and to conceal, its illegal activities. Spence was responsible for organizing the pick-up of narcotics proceeds, depositing the proceeds into bank accounts, and transferring the proceeds to various accounts via wire transfers.

6. Defendants TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," and JUAN GUILLERMO OCAMPO, a/k/a "Paul," operated primarily in Germany, where, among other things, they consulted with various members of the Organization, including defendants LEON SHULUM WEINMANN and RACHEL WEINMANN, and co-conspirators Richard Spence and Robert Hirsch.

7. Defendants LEON SHULUM WEINMANN and RACHEL WEINMANN, among other things, received transfers of funds in

Switzerland on behalf of the Organization and remitted the funds to bank accounts designated by the Organization's customers.

8. Defendants MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, operated in Colombia, where they were responsible for, among other things, ensuring that funds laundered by the Organization were eventually remitted to the Organization's customers.

9. Defendant GARY SALERNO, among other things, picked up and transported narcotics proceeds for the Organization.

10. Defendant ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenburg," travelled to various cities in the United States and abroad to pick up narcotics proceeds for the Organization and return the proceeds to New York City.

11. Defendants DONALD J. HAYDEN and LATCHEZAR CHRISTOV, a/k/a "Lucky," received narcotics proceeds and other cash in California that they shipped via overnight mail service to New York.

12. Defendant MENASHE LEIFER operated in New York, where, among other things, he transported narcotics proceeds and performed various tasks in furtherance of the Organization's activities.

Objects Of The Conspiracy

13. It was a part and an object of the conspiracy that HARVEY WEINIG, a/k/a "The Wing," TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenberg," DONALD J. HAYDEN, LATCHEZAR CHRISTOV, a/k/a "Lucky," and MENASHE LEIFER, the defendants, and co-conspirators Richard Spence and Robert Hirsch not named as defendants herein, and others known and unknown to the Grand Jury, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, unlawfully, wilfully and knowingly would and did conduct and attempt to conduct such financial transactions which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, in violation of Section 1956(a)(1)(B)(i) of Title 18, United States Code.

14. It was further a part and an object of the conspiracy that HARVEY WEINIG, a/k/a "The Wing," TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN,

MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenberg," DONALD J. HAYDEN, LATCHEZAR CHRISTOV, a/k/a "Lucky," and MENASHE LEIFER, the defendants, and co-conspirators Richard Spence and Robert Hirsch not named as defendants herein, and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly would and did transport, transmit and transfer funds from a place in the United States to and through a place outside the United States, knowing that the funds involved in the transportation, transmission and transfer represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission and transfer was designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, in violation of Section 1956(a)(2)(B)(i) of Title 18, United States Code.

15. It was further a part and an object of the conspiracy that HARVEY WEINIG, a/k/a "The Wing," TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenberg," DONALD J. HAYDEN, LATCHEZAR CHRISTOV, a/k/a "Lucky," and MENASHE LEIFER, the defendants, and

co-conspirators Richard Spence and Robert Hirsch not named as defendants herein, and others known and unknown to the Grand Jury, unlawfully, wilfully and knowingly would and did engage and attempt to engage in monetary transactions in criminally derived property that was of a value greater than \$10,000 and was derived from specified unlawful activity, to wit, narcotics trafficking, in violation of Section 1957 of Title 18, United States Code.

The Means Used By The Defendants  
And Their Co-conspirators To  
Further The Objects Of The Conspiracy

16. From in or about 1991 up to and including on or about November 30, 1994, the Organization laundered tens of millions of dollars in cash that were the proceeds of narcotics trafficking.

17. The conspirators would and did pick up large quantities of cash narcotics proceeds from, among other places, on the streets and in hotel rooms in various cities throughout the United States, Puerto Rico, and Canada.

18. The conspirators would and did transport and send via overnight mail service money picked up in various cities throughout the United States, Puerto Rico, and Canada, to New York City where the money was deposited into bank accounts from which it was transferred by wire and otherwise to Europe and elsewhere.

19. The conspirators would and did take a portion of the money they laundered as payment of their fee, and would and

did remit funds to accounts designated by customers of the Organization.

20. The conspirators would and did seek to conceal the activities of the Organization from law enforcement authorities by, among other things, falsely claiming that funds seized by law enforcement authorities were derived from legitimate business transactions.

Overt Acts

21. In furtherance of said conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about October 6, 1993, ALEXANDER SCHWARTZ possessed bundles of United States currency totalling approximately \$267,830 in Puerto Rico.

b. From on or about January 4, 1994, through on or about January 5, 1994, ALEXANDER SCHWARTZ possessed bundles of United States currency totalling approximately \$1,857,103 in Houston, Texas.

c. On or about January 14, 1994, GARY SALERNO picked up bundles of United States currency totalling approximately \$676,392 in Houston, Texas.

d. From on or about January 31, 1994, through on or about February 2, 1994, LEON SHULUM WEINMANN, RACHEL WEINMANN, TOHMES PETER and Robert Hirsch, among others, met in Zurich, Switzerland.

e. On or about March 24, 1994, HARVEY WEINIG, Richard Spence and Robert Hirsch caused a claim of ownership to be filed with the DEA concerning \$676,392 that had been seized from GARY SALERNO in Houston, Texas.

f. On or about May 25, 1994, Richard Spence and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, whether funds could be transferred from one bank account to another without the source of the funds being traced.

g. On or about June 2, 1994, LATCHEZAR CHRISTOV and Richard Spence engaged in a telephone conversation during which CHRISTOV said, among other things, that he and DONALD J. HAYDEN had looked at the money, which was comprised of "fives, tens, twenties and even ones."

h. On or about June 3, 1994, MENASHE LEIFER and Richard Spence engaged in a telephone conversation during which, among other things, Spence gave MENASHE LEIFER his personal bank account number and told LEIFER that another member of the Organization was unhappy because he was being pushed out.

i. On or about June 22, 1994, Robert Hirsch engaged in a telephone conversation concerning the pick-up of approximately \$850,000 in United States currency in Miami, Florida.

j. On or about June 23, 1994, Richard Spence met with a confidential informant in the parking lot of a Burger King Restaurant in Florida where Spence exchanged his Mercedes Benz

for a rental car that the confidential informant said contained \$425,000 in its trunk.

k. From on or about June 28, 1994 through in or about June 30, 1994, LEON SHULUM WEINMANN, RACHEL WEINMANN, TOHMES PETER and Robert Hirsch, among others, met in Zurich, Switzerland.

l. On or about July 11, 1994, MENASHE LEIFER and Richard Spence engaged in a telephone conversation during which, among other things, LEIFER said that he had put money in the bank and that Spence should determine whether it showed up the following morning.

m. On or about July 15, 1994, HARVEY WEINIG and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, federal wire transfer numbers and the fact that TOHMES PETER needed \$1 million.

n. In or about July 1994, Richard Spence assisted by Robert Hirsch, provided false and fabricated information by telephone and facsimile machine to Allstate Insurance Company offices located in Fort Myers, Florida.

o. On or about July 18, 1994, DONALD J. HAYDEN and Richard Spence engaged in a telephone conversation during which they discussed, among other things, how Spence was stopped by the Police in Miami with "merchandise" in the car Spence was driving.

p. On or about July 21, 1994, MENASHE LEIFER and Richard Spence engaged in a telephone conversation during which

they discussed, among other things, LEIFER opening up a corporate bank account and finding someone to open the account for LEIFER because he did not want to give any personal identification.

q. On or about August 15, 1994, Richard Spence and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, that GARY SALERNO would conduct a pick up of United States currency later that day.

r. On or about August 15, 1994, GARY SALERNO picked up a bag and put it in his car in the vicinity of One West 28th Street in Manhattan.

s. On or about September 3, 1994, Richard Spence and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, that GARY SALERNO was ready to pick-up United States currency later that day.

t. On or about September 3, 1994, GARY SALERNO picked up a bag and put it in his car in the vicinity of 53rd Street and Eighth Avenue in Manhattan.

u. On or about September 7, 1994, JUAN GUILLERMO OCAMPO and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, that money had been wired to RACHEL WEINMANN.

v. On or about September 14, 1994, AMPARO HURTADO VALENCIA and Robert Hirsch engaged in a telephone conversation during which, among other things, VALENCIA said that she was powerful in Colombia and VALENCIA threatened to send people to harm Hirsch.

w. On or about September 14, 1994, MIGUEL OMAR GARRABITO BOTERO, JUAN GUILLERMO OCAMPO and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, sending money to BOTERO.

x. On or about September 20, 1994, HARVEY WEINIG gave Robert Hirsch a cardboard box containing bundles of cash totalling approximately \$200,000.

y. On or about September 29, 1994, JULIANA LNU and Robert Hirsch engaged in a telephone conversation during which JULIANA LNU said, among other things, that MIGUEL OMAR GARRABITO BOTERO was the principal in Colombia and that BOTERO was the only person who could kill Hirsch.

z. On or about September 30, 1994, HARVEY WEINIG and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, whether OCAMPO and others were dead.

aa. On or about October 4, 1994, HARVEY WEINIG gave Robert Hirsch a bag containing bundles of cash totalling approximately \$248,920.

ab. On or about November 29, 1994, LEON SHULUM WEINMANN, RACHEL WEINMANN, ALEXANDER SCHWARTZ and Robert Hirsch met at the Hirsch Weinig firm in Manhattan.

(Title 18, United States Code, Section 1956(h).)

COUNT TWO

Criminal Forfeiture

The Grand Jury further charges:

22. Paragraphs One through Twenty-One of this Indictment are incorporated and realleged herein.

23. From in or about 1991 up to and including on or about November 30, 1994, in the Southern District of New York and elsewhere, HARVEY WEINIG, a/k/a "The Wing," TOHMES PETER, a/k/a "Peter Thomas," "Moti," "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenberg," DONALD J. HAYDEN, LATCHEZAR CHRISTOV, a/k/a "Lucky," and MENASHE LEIFER, the defendants, and co-conspirators Richard Spence and Robert Hirsch not charged as defendants herein, and others known and unknown to the Grand Jury owned and controlled properties, real and personal which were involved in the money laundering offense charged in Count One and are traceable to such properties. Such interests are subject to forfeiture to the United States pursuant Title 18, United States Code, Section 982(a)(1). Such forfeitable interests include, but are not limited to: (i) any and all interests held by HARVEY WEINIG, a/k/a "The Wing," in the assets of the Hirsch Weinig law firm, located at 1540 Broadway, Suite 29A, New York, New York, including but not limited to cash, checking accounts, savings

accounts, accounts receivable, trust and escrow accounts, any leasehold interest in Suite 29A, furniture, fixtures, books, and equipment; (ii) any and all interests held by HARVEY WEINIG, a/k/a "The Wing," in the CONTENTS OF ACCOUNT NUMBER 37175293, in the name of HIRSCH-WEINIG TRUST ACCOUNT, at Citibank, N.A.; and (iii) any and all interests held by HARVEY WEINIG, a/k/a "The Wing," in the CONTENTS OF ACCOUNT NUMBER 10.281, at Bank Leumi, located in Zurich, Switzerland.

24. From in or about 1991 up to and including on or about November 30, 1994, in the Southern District of New York and elsewhere, HARVEY WEINIG, a/k/a "The Wing," TOHMES PETER, a/k/a "Peter Thomas," "Moti," "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenberg," DONALD J. HAYDEN, LATCHEZAR CHRISTOV, a/k/a "Lucky," and MENASHE LEIFER, the defendants, and co-conspirators Richard Spence and Robert Hirsch not charged as defendants herein, and others known and unknown to the Grand Jury owned or controlled properties, real and personal which constituted and were derived from the proceeds of the money laundering offense charged in Count One. Such forfeitable property includes, but is not limited to, monies in excess of \$15 million involved in the money laundering offense charged in Count One.

25. HARVEY WEINIG, a/k/a "The Wing," TOHMES PETER, a/k/a "Peter Thomas," "Moti," "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, ALEXANDER SCHWARTZ, a/k/a "Mr. R. Rosenbaum," a/k/a "Rosenberg," DONALD J. HAYDEN, LATCHEZAR CHRISTOV, a/k/a "Lucky," and MENASHE LEIFER, the defendants, and each of them, are jointly and severally liable for the forfeiture obligations as alleged above.

26. If any of the property described in paragraphs Twenty-Three and Twenty-Four above as being subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1), as a result of any act or omission of any of the defendants, (a) cannot be located upon the exercise of due diligence; (b) has been transferred to, sold to, or deposited with a third person; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; and/or (e) has been commingled with other property that cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1)(A), incorporating by reference Title 21, United States Code, Section 853(p), to

seek forfeiture of any other property of the defendants up to the value of the property described in clauses (a) through (e) above as being subject to forfeiture.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1)(A)).

*Salma Tenenbaum*  
FOREPERSON

*Mary Jo White*  
MARY JO WHITE  
United States Attorney

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

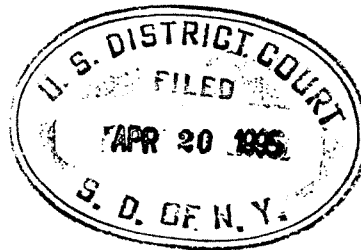
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HARVEY WEINIG,  
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CARLOS LOPEZ,  
GARY SALERNO and  
LATCHEZAR CHRISTOV,  
a/k/a "Lucky,"

Defendants.

INDICTMENT

S4 94 Cr. 981 (KTD)



Count One

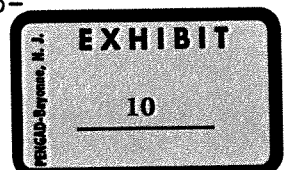
The Grand Jury charges:

Conspiracy To Launder Narcotics Proceeds

1. From in or about 1991 up to and including on or about November 30, 1994, in the Southern District of New York and elsewhere, HARVEY WEINIG, TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," the defendants, and co-

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conspirators Richard Spence and Robert Hirsch, not named as defendants herein, and others known and unknown, unlawfully, wilfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Sections 1956(a)(1)(B)(i), 1956(a)(2)(B)(i) and 1957 of Title 18, United States Code.

The Money Laundering Organization

2. From in or about 1991 up to and including on or about November 30, 1994, there existed an international money laundering organization (the "Organization") that laundered narcotics proceeds received from, among other places, the United States, Canada, and Puerto Rico.

Members of the Organization

During all times relevant to this Indictment:

3. Defendant HARVEY WEINIG was a lawyer licensed by, and practicing in, the State of New York, and was one of the principals along with co-conspirator Robert Hirsch in the firm of Hirsch Weinig, located at 1540 Broadway, Suite 29A, New York, New York. The Hirsch Weinig law firm was used in part by the Organization to facilitate and conceal its illegal activities. WEINIG operated primarily out of his offices at the Hirsch Weinig law firm, where, among other things, he engaged in banking transactions on behalf of the Organization and consulted with co-conspirators Richard Spence and Hirsch about the Organization's activities.

4. Co-conspirator Robert Hirsch was also a lawyer licensed by, and practicing in, the State of New York. Hirsch operated primarily out of his offices at the Hirsch Weinig law firm, where he performed various tasks in furtherance of the Organization's activities, including but not limited to arranging for the pick-up of narcotics proceeds at various locations in the United States, Puerto Rico and Canada, and transferring monies to various accounts via wire transfers.

5. Co-conspirator Richard Spence operated several businesses at 431 East 165th Street, Bronx, New York, which location was used in part by the Organization to further, and to conceal, its illegal activities. Spence was responsible for organizing the pick-up of narcotics proceeds, depositing the proceeds into bank accounts, and transferring the proceeds to various accounts via wire transfers.

6. Defendants TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," and JUAN GUILLERMO OCAMPO, a/k/a "Paul," operated primarily in Germany, where, among other things, they consulted with various members of the Organization, including defendants LEON SHULUM WEINMANN and RACHEL WEINMANN in Switzerland, defendants MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," and CARLOS LOPEZ in Colombia, and co-conspirators Richard Spence and Robert Hirsch in New York.

7. Defendants LEON SHULUM WEINMANN and RACHEL WEINMANN, among other things, received transfers of funds in

Switzerland on behalf of the Organization and remitted the funds to bank accounts designated by the Organization's customers.

8. Defendants MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," and CARLOS LOPEZ, operated in Colombia, where they were responsible for, among other things, arranging for the delivering of narcotics proceeds to members of the Organization and ensuring that funds laundered by the Organization were eventually remitted to the Organization's customers.

9. Defendant GARY SALERNO, among other things, picked up and transported narcotics proceeds for the Organization.

10. Defendant LATCHEZAR CHRISTOV, a/k/a "Lucky," along with Donald J. Hayden, a co-conspirator not named as a defendant herein, received narcotics proceeds in California and transferred those proceeds via overnight mail service to New York.

#### Objects Of The Conspiracy

11. It was a part and an object of the conspiracy that HARVEY WEINIG, TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," the defendants, and co-conspirators Richard Spence and Robert Hirsch, not named as defendants herein, and others known and unknown, knowing that the property involved in certain financial transactions represented the proceeds of

some form of unlawful activity, unlawfully, wilfully and knowingly would and did conduct and attempt to conduct such financial transactions which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, in violation of Section 1956(a)(1)(B)(i) of Title 18, United States Code.

12. It was further a part and an object of the conspiracy that HARVEY WEINIG, TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," the defendants, and co-conspirators Richard Spence and Robert Hirsch, not named as defendants herein, and others known and unknown, unlawfully, wilfully and knowingly would and did transport, transmit and transfer funds from a place in the United States to and through a place outside the United States, knowing that the funds involved in the transportation, transmission and transfer represented the proceeds of some form of unlawful activity, and knowing that such transportation, transmission and transfer was designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful

activity, in violation of Section 1956(a)(2)(B)(i) of Title 18, United States Code.

13. It was further a part and an object of the conspiracy that HARVEY WEINIG, TOHMES PETER, a/k/a "Peter Thomas," a/k/a "Moti," a/k/a "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," the defendants, and co-conspirators Richard Spence and Robert Hirsch, not named as defendants herein, and others known and unknown, unlawfully, wilfully and knowingly would and did engage and attempt to engage in monetary transactions in criminally derived property that was of a value greater than \$10,000 and was derived from specified unlawful activity, to wit, narcotics trafficking, in violation of Section 1957 of Title 18, United States Code.

The Means Used By The Defendants  
And Their Co-conspirators To  
Further The Objects Of The Conspiracy

14. From in or about 1991 up to and including on or about November 30, 1994, the Organization laundered tens of millions of dollars in cash that were the proceeds of narcotics trafficking.

15. The conspirators would and did pick up large quantities of cash narcotics proceeds from, among other places, on the streets and in hotel rooms in various cities throughout the United States, Puerto Rico, and Canada.

16. The conspirators would and did transport and send, via overnight mail service, money picked up in various cities throughout the United States, Puerto Rico, and Canada, to New York City where the money was deposited into bank accounts from which it was transferred by wire to accounts designated by customers of the Organization in the United States and abroad.

17. The conspirators would and did take a portion of the money they laundered as payment of their fees.

18. The conspirators would and did seek to conceal the activities of the Organization from law enforcement authorities by, among other things, (i) utilizing overnight mail services to transfer cash narcotics proceeds, (ii) transporting cash narcotics proceeds from various cities to New York City concealed in suitcases and beneath their clothing, (iii) falsely claiming that funds seized by law enforcement authorities were derived from legitimate business transactions, (iv) speaking to one another in code, and (v) transferring monies through multiple bank accounts, including but not limited to a law firm trust account.

#### Overt Acts

19. In furtherance of said conspiracy and to effect the objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about October 6, 1993, Alexander Schwartz, a co-conspirator not named as a defendant herein, picked up and possessed in a vest concealed under his clothing

bundles of cash totalling approximately \$267,830 in San Juan, Puerto Rico. At the time of the pickup, Schwartz was using an alias, the person from whom he received the cash used only a first name, and no receipts or other documents were exchanged. Schwartz later lied to law enforcement officials about the purpose of his trip to Puerto Rico.

b. From on or about January 4, 1994, through on or about January 5, 1994, Alexander Schwartz picked up and possessed bundles of cash totalling approximately \$1,857,103 in Houston, Texas. At the time of the pickup, Schwartz was using an alias, the person from whom he received the cash used only a first name, and no receipts or other documents were exchanged. Schwartz later lied to law enforcement officials about the purpose of his trip to Puerto Rico.

c. On or about January 14, 1994, GARY SALERNO picked up and possessed bundles of cash totalling approximately \$676,392 in Houston, Texas. At the time of the pickup, the persons from whom SALERNO received the cash did not provide their names, and no receipts or other documents were exchanged.

d. From on or about January 31, 1994, through on or about February 2, 1994, LEON SHULUM WEINMANN, RACHEL WEINMANN, TOHMES PETER and Robert Hirsch, among others, met in Zurich, Switzerland. Those who attended the meeting discussed whether the cash they were transferring was the proceeds of narcotics trafficking.

e. On or about February 14, 1994, HARVEY WEINIG, Richard Spence and Robert Hirsch caused a claim of ownership containing false information to be filed with the Drug Enforcement Administration ("DEA") concerning \$267,830 that had been seized from Alexander Schwartz in San Juan, Puerto Rico.

f. On or about March 24, 1994, HARVEY WEINIG, Richard Spence and Robert Hirsch caused a claim of ownership containing false information to be filed with the DEA concerning \$676,392 that had been seized from GARY SALERNO in Houston, Texas.

g. On or about May 25, 1994, Richard Spence and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, whether funds could be transferred from one bank account to another without the source of the funds being traced.

h. On or about June 2, 1994, LATCHEZAR CHRISTOV, a/k/a "Lucky," met with a Special Agent of the Federal Bureau of Investigation ("FBI") working in an undercover capacity (the "UC") and a confidential informant working under the direction of the FBI ("CI-1"). At the meeting, among other things, the UC and CI-1 gave CHRISTOV a box with \$100,000 in cash, in response to which CHRISTOV stated that he would ship the money immediately to SPENCE by overnight mail.

i. On or about June 2, 1994, LATCHEZAR CHRISTOV, a/k/a "Lucky," engaged in a telephone conversation with Richard Spence during which CHRISTOV said, among other things, that he

and Donald J. Hayden had looked at the money, which was comprised of "fives, tens, twenties and even ones."

j. On or about June 3, 1994, at approximately 10:27 a.m., LATCHEZAR CHRISTOV, a/k/a "Lucky," engaged in a conversation with Richard Spence in which CHRISTOV said, among other things, that he had sent out the packages, that he had taken \$2,500 from the first box, and that he had counted the \$100,000 with the UC and CI-1 and then placed it in a box.

k. On or about June 22, 1994, Robert Hirsch engaged in a telephone conversation concerning the pick-up of approximately \$850,000 in cash in Miami, Florida.

l. On or about June 23, 1994, Richard Spence met with a confidential informant ("CI-2"), working under the direction of the DEA, in the parking lot of a Burger King Restaurant in Miami, Florida where Spence exchanged his Mercedes Benz for a rental car that CI-2 said contained \$425,000 in its trunk.

m. From on or about June 28, 1994 through in or about June 30, 1994, LEON SHULUM WEINMANN, RACHEL WEINMANN, TOHMES PETER and Robert Hirsch, among others, met in Zurich, Switzerland.

n. On or about July 13, 1994, HARVEY WEINIG, Richard Spence and Robert Hirsch caused claims of ownership containing false information to be filed with the DEA concerning \$802,893 that had been seized from Alexander Schwartz and

\$1,053,200 that had ben seized from Charles Bruno in Houston, Texas.

o. On or about July 15, 1994, HARVEY WEINIG and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, federal wire transfer numbers and the fact that TOHMES PETER needed \$1 million.

p. In or about July 1994, Richard Spence assisted by Robert Hirsch, provided false and fabricated information by telephone and facsimile machine to Allstate Insurance Company offices located in Fort Myers, Florida.

q. On or about July 18, 1994, Donald J. Hayden and Richard Spence engaged in a telephone conversation during which they discussed, among other things, how Spence was stopped by the Police in Miami with "merchandise" in the car Spence was driving.

r. On or about August 15, 1994, Richard Spence and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, that GARY SALERNO would conduct a pick up of cash later that day.

s. On or about August 15, 1994, GARY SALERNO picked up a bag containing cash and placed it in his car in the vicinity of One West 28th Street in Manhattan.

t. On or about August 30, 1994, LATCHEZAR CHRISTOV, a/k/a "Lucky," met with the UC and CI-1. At the meeting, among other things, CHRISTOV said, in substance and in part, that the UC and CI-1 should not deliver money at CHRISTOV's

office, but should instead conduct the money exchange in the street. CHRISTOV explained that he had diplomatic license plates and that no one would bother him. CI-1 asked CHRISTOV if he could help them move "merchandise" inside coffee to Bulgaria and Romania, to which CHRISTOV replied that it would not be a problem.

u. On or about September 3, 1994, Richard Spence and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, that GARY SALERNO was ready to pick up cash later that day.

v. On or about September 3, 1994, GARY SALERNO picked up a bag of cash and placed it in his car in the vicinity of 53rd Street and Eighth Avenue in Manhattan.

w. On or about September 7, 1994, JUAN GUILLERMO OCAMPO and Robert Hirsch engaged in a telephone conversation during which they discussed, among other things, that money had been wired to RACHEL WEINMANN.

x. On or about September 14, 1994, AMPARO HURTADO VALENCIA and Robert Hirsch engaged in a telephone conversation concerning money transfers during which, among other things, VALENCIA said that she was powerful in Colombia and that she would send people to harm Hirsch if certain payments were not made.

y. On or about September 14, 1994, MIGUEL OMAR GARRABITO BOTERO, JUAN GUILLERMO OCAMPO and Robert Hirsch engaged

in a telephone conversation during which they discussed, among other things, transferring money to BOTERO.

z. On or about September 20, 1994, HARVEY WEINIG gave Robert Hirsch a cardboard box containing bundles of cash totalling approximately \$200,000 for the purpose of transferring it to narcotics traffickers in Colombia.

aa. On or about September 29, 1994, JULIANA LNU engaged in a telephone conversation with Robert Hirsch during which JULIANA LNU said, among other things, that MIGUEL OMAR GARRABITO BOTERO was a principal in Colombia and that BOTERO was the only person who could kill Hirsch.

ab. On or about September 30, 1994, HARVEY WEINIG engaged in a telephone conversation with Robert Hirsch during which they discussed, among other things, whether OCAMPO and others were dead.

ac. On or about October 4, 1994, HARVEY WEINIG gave Robert Hirsch a bag containing bundles of cash totalling approximately \$248,920.

ad. On or about October 28, 1994, HARVEY WEINIG and Robert Hirsch discussed making a cash pickup on behalf of MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," in Miami, Florida.

ae. On or about November 2, 1994, HARVEY WEINIG and Robert Hirsch discussed how they would demonstrate to the customers of the Organization that money collected by the Organization after April 1994 had actually been transferred.

af. On or about November 2, 1994, HARVEY WEINIG and Robert Hirsch discussed how Richard Spence would react if he learned that WEINIG and Hirsch could transfer money without Spence's assistance. During the same discussion, WEINIG stated that he, Hirsch and Spence had agreed to be partners, "a third, a third, a third."

ag. On or about November 29, 1994, LEON SHULUM WEINMANN, RACHEL WEINMANN, and Alexander Schwartz met with Robert Hirsch at the Hirsch Weinig law firm in Manhattan. During that meeting, LEON SHULUM WEINMANN, RACHEL WEINMANN, Hirsch and others discussed increasing the fees they charged for laundering money.

(Title 18, United States Code, Section 1956(h).)

Counts Two Through Twenty-two

Laundering Narcotics Proceeds

The Grand Jury further charges:

20. From on or about January 14, 1994 through on or about September 3, 1994, in the Southern District of New York and elsewhere, defendants HARVEY WEINIG, LEON SHULUM WEINMANN, RACHEL WEINMANN, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, unlawfully, willfully, and knowingly, did conduct and attempt to conduct such financial transactions, to wit, the movement, pickup, transportation, transfer, delivery, receipt and transmission of cash on the approximate dates and in the approximate amounts set forth below, which in fact involved the

proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity:

<u>COUNT</u>	<u>APPROX. DATES OF FINANCIAL TRANSACTIONS</u>	<u>APPROX. AMOUNT OF FINANCIAL TRANSACTIONS</u>	<u>DEFENDANT(S)</u>
Two	January 14-17, 1994	\$ 676,392	SALERNO
Three	March 29-30, 1994	\$ 590,567	CHRISTOV
Four	April 11-13, 1994	\$ 273,000	CHRISTOV
Five	April 19, 1994- May 31, 1994	\$ 800,000	WEINIG
Six	June 8, 1994	\$ 695,000	L. WEINMANN, R. WEINMANN
Seven	June 9, 1994	\$ 1,038,000	CHRISTOV
Eight	June 10, 1994	\$ 970,000	L. WEINMANN, R. WEINMANN
Nine	June 19, 1994	\$ 500,000	SALERNO
Ten	June 22, 1994	\$ 465,000	L. WEINMANN, R. WEINMANN
Eleven	June 27, 1994	\$ 850,000	WEINIG
Twelve	June 28, 1994	\$ 261,312	WEINIG, L. WEINMANN, R. WEINMANN
Thirteen	June 29, 1994	\$ 294,507	WEINIG, L. WEINMANN, R. WEINMANN
Fourteen	July 1, 1994	\$ 240,180	WEINIG, L. WEINMANN, R. WEINMANN
Fifteen	July 7, 1994	\$ 600,000	WEINIG
Sixteen	July 19, 1994	\$ 930,000	WEINIG
Seventeen	July 19, 1994	\$ 900,000	WEINIG

Eighteen	August 5, 1994	\$ 490,000	SALERNO
Nineteen	August 9, 1994	\$ 405,000	WEINIG
Twenty	August 15, 1994	\$ 999,750	SALERNO
Twenty-one	August 22, 1994	\$ 999,545	SALERNO
Twenty-two	September 3, 1994	\$ 755,668	SALERNO

(Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2).

Counts Twenty-three Through Twenty-nine

Laundering Narcotics Proceeds

The Grand Jury further charges:

21. From on or about June 8, 1994 through on or about July 19, 1994, in the Southern District of New York and elsewhere, defendants HARVEY WEINIG, LEON SHULUM WEINMANN and RACHEL WEINMANN, unlawfully, willfully, and knowingly did transport, transmit, and transfer, and attempt to transport, transmit, and transfer, funds from a place in the United States to and through a place outside the United States knowing that said funds represented the proceeds of some form of unlawful activity, which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, and knowing that such transportation, transmission and transfer were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of

specified unlawful activity:

<u>COUNT</u>	<u>APPROX. DATES OF FINANCIAL TRANSACTIONS</u>	<u>APPROX. AMOUNT OF FINANCIAL TRANSACTIONS</u>	<u>DEFENDANT(S)</u>
Twenty-three	June 8, 1994	\$ 695,000	L. WEINMANN, R. WEINMANN
Twenty-four	June 10, 1994	\$ 970,000	L. WEINMANN, R. WEINMANN
Twenty-five	June 22, 1994	\$ 465,000	L. WEINMANN, R. WEINMANN
Twenty-six	June 28, 1994	\$ 261,312	WEINIG, L. WEINMANN, R. WEINMANN
Twenty-seven	June 29, 1994	\$ 294,507	WEINIG, L. WEINMANN, R. WEINMANN
Twenty-eight	July 1, 1994	\$ 240,180	WEINIG, L. WEINMANN, R. WEINMANN
Twenty-nine	July 19, 1994	\$ 900,000	WEINIG

(Title 18, United States Code, Sections 1956(a)(2)(B)(i) and 2).

#### Count Thirty

##### Laundering Narcotics Proceeds

The Grand Jury further charges:

22. Between on or about September 20, 1994 and on or about September 22, 1994, in the Southern District of New York, defendant HARVEY WEINIG, knowing that property involved in certain financial transactions represented the proceeds of some form of unlawful activity, to wit, narcotics trafficking, wire fraud and theft, unlawfully, willfully, and knowingly, did conduct and attempt to conduct such financial transactions, to wit, the delivery of approximately \$200,000 in cash to Robert Hirsch, the deposit of said cash at a bank in New York and the

wire transmission of said cash from that bank to accounts abroad, which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity.

(Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2).

Count Thirty-one

Laundering Narcotics Proceeds

The Grand Jury further charges:

23. On or about October 4, 1994, in the Southern District of New York, defendant HARVEY WEINIG, knowing that property involved in a financial transaction represented the proceeds of some form of unlawful activity, to wit, narcotics trafficking, wire fraud and theft, unlawfully, willfully, and knowingly, did conduct and attempt to conduct such financial transaction, to wit, the delivery of approximately \$248,920 in cash to Robert Hirsch for deposit at a bank in New York and subsequent wire transmission of said cash from that bank to accounts abroad, which in fact involved the proceeds of specified unlawful activity, to wit, narcotics trafficking, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity.

(Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2).

Count Thirty-two

Interstate and Foreign Transportation of Stolen Money

The Grand jury further charges:

24. Between on or about September 20, 1994 and on or about September 22, 1994, in the Southern District of New York, defendant HARVEY WEINIG unlawfully, wilfully and knowingly did transport, transmit and transfer, and cause to be transported, transmitted and transferred, in interstate and foreign commerce money of the value of \$5,000 and more, knowing the same to have been stolen, converted and taken by fraud, to wit, HARVEY WEINIG gave Robert Hirsch approximately \$200,000 which WEINIG had obtained by theft and fraud for the express purpose of transferring the money in interstate and foreign commerce, and which money was thereafter transferred by wire from New York to accounts abroad.

(Title 18 United States Code, Sections 2314 and 2.)

Count Thirty-three

Interstate and Foreign Transportation of Stolen Money

The Grand jury further charges:

25. On or about October 4, 1994, in the Southern District of New York, defendant HARVEY WEINIG unlawfully, wilfully and knowingly did transport and cause to be transported in interstate and foreign commerce money of the value of \$5,000 and more, knowing the same to have been stolen, converted and taken by fraud, to wit, HARVEY WEINIG provided Robert Hirsch with approximately \$248,920 which WEINIG had obtained by theft and

fraud for the express purpose of transferring the money in interstate and foreign commerce, and which money was thereafter transferred by wire from New York to accounts abroad.

(Title 18 United States Code, Sections 2314 and 2.)

Count Thirty-four

Fraudulent Scheme

The Grand Jury further charges:

26. From on or about April 4, 1994 through on or about April 19, 1994, in the Southern District of New York and elsewhere, defendant HARVEY WEINIG, along with Robert Hirsch and Richard Spence, not named as defendants herein, unlawfully, willfully and knowingly did devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds for the purposes of executing such scheme and artifice, to wit, defendant HARVEY WEINIG, Robert Hirsch and Richard Spence devised and carried out a scheme and artifice pursuant to which they collected approximately \$2.4 million on behalf of their clients and customers, fabricated a criminal indictment to falsely create the impression that Spence had been arrested and his assets frozen by the United States, and then stole from their clients and customers the money that had been collected rather than remitting

the money to those clients and customers.

(Title 18 United States Code, Sections 1343 and 2.)

Count Thirty-five

False Statement

The Grand Jury further charges:

27. On or about February 14, 1994, in the Southern District of New York and elsewhere, defendant HARVEY WEINIG, in a matter within the jurisdiction of the DEA, a department and agency of the United States, unlawfully, willfully and knowingly did falsify, conceal and cover up by trick, scheme, and device a material fact and did make a false, fictitious and fraudulent statement and representation, to wit, HARVEY WEINIG, along with Robert Hirsch and Richard Spence, not named as defendants herein, caused a claim of ownership to be filed with the DEA concerning the seizure of approximately \$267,830 in cash from Alexander Schwartz by the DEA in San Juan, Puerto Rico, in which Spence falsely stated in a sworn affidavit prepared and drafted by and at the specific request of WEINIG and Hirsch, among other false statements, that the money seized by the DEA was owned by Spence and that it represented "a portion of the proceeds of payment for a sale of precious stones by [Spence] acquired and sold overseas."

(Title 18, United States Code, Sections 1001 and 2.)

Count Thirty-six

False Statement

28. On or about March 24, 1994, in the Southern District of New York and elsewhere, defendant HARVEY WEINIG, in a matter within the jurisdiction of the DEA, a department and agency of the United States, unlawfully, willfully and knowingly did falsify, conceal and cover up by trick, scheme, and device a material fact and did make a false, fictitious and fraudulent statement and representation, to wit, HARVEY WEINIG, along with Robert Hirsch and Richard Spence, not named as defendants herein, caused a claim of ownership to be filed with the DEA concerning the seizure of approximately \$676,392 in cash from defendant GARY SALERNO by the DEA in Houston, Texas, in which Spence falsely stated in a sworn affidavit prepared and drafted by and at the specific request of WEINIG and Hirsch, among other false statements, that the money seized by the DEA was owned by Spence and that it represented "a portion of the proceeds due to [Spence] for a sale of precious stones acquired and sold overseas."

(Title 18, United States Code, Sections 1001 and 2.)

Count Thirty-seven

False Statement

29. On or about July 13, 1994, in the Southern District of New York and elsewhere, defendant HARVEY WEINIG, in a matter within the jurisdiction of the DEA, a department and

agency of the United States, unlawfully, willfully and knowingly did falsify, conceal and cover up by trick, scheme, and device a material fact and did make a false, fictitious and fraudulent statement and representation, to wit, HARVEY WEINIG, along with Robert Hirsch and Richard Spence, not named as defendants herein, caused two claims of ownership to be filed with the DEA concerning the seizure of approximately \$802,893 in cash from Alexander Schwartz and approximately \$1,053,200 in cash from Charles Bruno by the DEA in Houston, Texas, in which Spence falsely stated in a sworn affidavit prepared and drafted by and at the specific request of WEINIG and Hirsch, among other false statements, that the money seized by the DEA was owned by Spence and that it represented "a portion of the proceeds due to [Spence] for a sale of precious stones acquired and sold overseas."

(Title 18, United States Code, Sections 1001 and 2.)

Count Thirty-eight

Criminal Forfeiture

The Grand Jury further charges:

30. Paragraphs One through Twenty-nine of this Indictment are incorporated and realleged herein.

31. From in or about 1991 up to and including on or about November 30, 1994, in the Southern District of New York and elsewhere, HARVEY WEINIG, TOHMES PETER, a/k/a "Peter Thomas," "Moti," "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a

"Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," the defendants, and co-conspirators Richard Spence and Robert Hirsch, not charged as defendants herein, and others known and unknown, owned and controlled properties, real and personal which were involved in the money laundering offense charged in Count One and are traceable to such properties. Such interests are subject to forfeiture to the United States pursuant to Title 18, United States Code, Section 982(a)(1). Such forfeitable interests include, but are not limited to, the following: (i) any and all interests held by defendant HARVEY WEINIG in the assets of the Hirsch Weinig law firm, located at 1540 Broadway, Suite 29A, New York, New York, including but not limited to cash, checking accounts, savings accounts, accounts receivable, trust and escrow accounts, any leasehold interest in Suite 29A, furniture, fixtures, books and equipment; (ii) any and all interests held by defendant HARVEY WEINIG in the CONTENTS OF ACCOUNT NUMBER 37175293, in the name of HIRSCH-WEINIG TRUST ACCOUNT, at Citibank, N.A.; and (iii) any and all interests held by defendant HARVEY WEINIG in the CONTENTS OF ACCOUNT NUMBER 10.281, at Bank Leumi, located in Zurich, Switzerland.

32. From in or about 1991 up to and including on or about November 30, 1994, in the Southern District of New York and elsewhere, HARVEY WEINIG, TOHMES PETER, a/k/a "Peter Thomas," "Moti," "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM

WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," the defendants, and co-conspirators Richard Spence and Robert Hirsch, not charged as defendants herein, and others known and unknown, owned and controlled properties, real and personal, which constituted and were derived from the proceeds of the money laundering offense charged in Count One. Such forfeitable property includes, but is not limited to, monies in excess of \$15 million involved in the money laundering offense charged in Count One.

33. HARVEY WEINIG, TOHMES PETER, a/k/a "Peter Thomas," "Moti," "Renee," JUAN GUILLERMO OCAMPO, a/k/a "Paul," LEON SHULUM WEINMANN, RACHEL WEINMANN, MIGUEL OMAR GARRABITO BOTERO, a/k/a "Mr. Fred," AMPARO HURTADO VALENCIA, a/k/a "Helen," JULIANA LNU, a/k/a "Bonnie," CARLOS LOPEZ, GARY SALERNO, and LATCHEZAR CHRISTOV, a/k/a "Lucky," the defendants, and each of them, are jointly and severally liable for the forfeiture obligations as alleged above.

34. If any of the property described in paragraphs Thirty and Thirty-one above as being subject to forfeiture pursuant to Title 18, United States Code, Section 982(a)(1), as a result of any act or omission of any of the defendants: (a) cannot be located upon the exercise of due diligence; (b) has been transferred to, sold to, or deposited with a third person; (c) has been placed beyond the jurisdiction of the Court; (d) has

been substantially diminished in value; and/or (e) has been commingled with other property that cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1)(A), incorporating by reference Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in clauses (a) through (e) above as being subject to forfeiture.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1)(A)).

Lawrence Friedman  
DEPUTY FOREPERSON

Mary Jo White  
MARY JO WHITE  
United States Attorney